

**Representative Hall, Atlanta, Georgia****Tuesday, January 31, 2006**

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

The roll was called and the following Representatives answered to their names:

Abdul-Salaam	Dickson	Hudson	Maxwell	Rynders
Amerson	Dodson	Hugley	May	Scheid
Ashe	Drenner	Jacobs	E McCall	Scott, A
Barnard	Ehrhart	James	E McClinton	Scott, M
Bearden	England	Jamieson	Meadows	Setzler
Benton	Everson	Jenkins	Mills	Sheldon
Black	Fleming	Jennings	Morris	Sims, F
Bridges	E Floyd, H	Johnson	Mosley	Smith, L
Brooks	Floyd, J	Jones, S	Mumford	Smith, P
Bryant	Franklin	Keen	Murphy, J	Smith, R
Buckner, D	Freeman	Keown	Murphy, Q	Smith, V
Buckner, G	Gardner	Kidd	Neal	Smyre
Burkhalter	Geisinger	Knox	Oliver	Stephens
Burmeister	Graves, D	Lakly	O'Neal	Talton
Burns	Greene	Lane, B	Orrock	Teilhet
Butler	Hanner	Lane, R	Parham	Thomas, B
Byrd	Hatfield	Lewis	Parrish	Tumlin
Carter	Heard, J	Lindsey	Parsons	Warren
Casas	Heard, K	Lord	Porter	Watson
Chambers	Hembree	Loudermilk	Ralston	Wilkinson
Cheokas	E Henson	Lunsford	Randall	Williams, A
Coleman, B	Hill, C	Maddox	Ray	Williams, E
Cox	Hill, C.A	Manning	E Reece, S	Williams, R
Cummings	Holt	Marin	Roberts	Yates
Davis	Horne	Martin	Royal	Richardson,
E Day	Houston			Speaker

The following members were off the floor of the House when the roll was called:

Representatives Anderson of the 123rd, Barnes of the 78th, Beasley-Teague of the 65th, Bordeaux of the 162nd, Borders of the 175th, Brown of the 69th, Bruce of the 64th, Channell of the 116th, Cole of the 125th, Coleman of the 144th, Crawford of the 127th, Day of the 163rd, Dean of the 59th, Dollar of the 45th, Dukes of the 150th, Epps of the 128th, Fludd of the 66th, Forster of the 3rd, Golick of the 34th, Graves of the 12th, Harbin of the 118th, Heckstall of the 62nd, Howard of the 121st, Jackson of the 161st, Jordan of the 77th, Knight of the 126th, Lucas of the 139th, Mangham of the 94th, Millar of the 79th, Morgan of the 39th, Mosby of the 90th, Powell of the 29th, Reece of the 11th, Rogers of the 26th, Sailor of the 93rd, Shaw of the 176th, Sims of the 169th, Sinkfield of the 60th, Smith of the 113th, Smith of the 168th, Stanley-Turner of the 53rd, Stephenson of the 92nd, Thomas of the 55th, Walker of the 107th, and Wix of the 33rd.

They wish to be recorded as present.

Prayer was offered by the Reverend Liz Forney, Central Presbyterian Church, Atlanta, Georgia.

The members pledged allegiance to the flag.

Representative Heard of the 104th, Chairman of the Committee on Information and Audits, reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

By unanimous consent, the following was established as the order of business during the first part of the period of unanimous consents:

1. Introduction of Bills and Resolutions.
2. First reading and reference of House Bills and Resolutions.
3. Second reading of Bills and Resolutions.
4. Reports of Standing Committees.
5. Third reading and passage of Local uncontested Bills.
6. First reading and reference of Senate Bills and Resolutions.

By unanimous consent, the following Bills and Resolutions of the House were introduced, read the first time and referred to the Committees:

HB 1138. By Representative Drenner of the 86th:

A BILL to be entitled an Act to provide for the composition of state house districts and, in particular, House Districts 86 and 89; to provide for the election of such Representatives; to provide when such Representatives so elected shall take office; to provide for the continuation of present house districts until a certain time; to provide for other related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Legislative & Congressional Reapportionment.

HB 1139. By Representatives Lindsey of the 54th and Ashe of the 56th:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to provide for an exemption for a limited period of time with respect to certain qualified historical and educational attractions; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 1140. By Representatives Chambers of the 81st and Millar of the 79th:

A BILL to be entitled an Act to provide for the composition of state house districts and, in particular, House Districts 79, 80, and 81; to provide for the election of such Representatives; to provide when such Representatives so elected shall take office; to provide for the continuation of present house districts until a certain time; to provide for other related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Legislative & Congressional Reapportionment.

HB 1141. By Representatives Heard of the 104th, Mills of the 25th and Parsons of the 42nd:

A BILL to be entitled an Act to amend Code Section 21-5-71 of the Official Code of Georgia Annotated, relating to registration of lobbyists, so as to provide for the payment of certain registration and other fees by persons who register as lobbyists; to provide for the establishment of such fees; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ethics.

HB 1142. By Representative Greene of the 149th:

A BILL to be entitled an Act to provide for the filling of vacancies in the office of sheriff of Seminole County; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1143. By Representative Porter of the 143rd:

A BILL to be entitled an Act to amend an Act reconstituting the board of education of the City of Dublin, approved April 5, 1993 (Ga. L. 1993, p. 4970), as amended, so as to provide certain additional authority to the board with respect to real estate transactions; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1144. By Representatives Chambers of the 81st, Thomas of the 55th, Lindsey of the 54th, Jacobs of the 80th and Drenner of the 86th:

A BILL to be entitled an Act to amend Code Section 8-3-3 of the Official Code of Georgia Annotated, relating to definitions relative to housing authorities, so as to redefine "private enterprise agreement"; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 1145. By Representatives Ralston of the 7th and Mumford of the 95th:

A BILL to be entitled an Act to amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to juvenile proceedings, so as to change provisions relating to mental health proceedings; to provide for definitions; to reorganize certain provisions of the article for clarity; to require a child to be represented by an attorney if the child is being evaluated for competency; to change certain provisions relating to the content of an evaluator's report; to provide for least restrictive environments, where possible; to provide certain information to victims; to provide for disposition where a child will not become competent; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 1146. By Representatives Meadows of the 5th, Smith of the 131st, Dickson of the 6th, Williams of the 4th, Maxwell of the 17th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation of income tax, so as to provide for income tax credits with respect to qualified donations to community foundations; to provide for definitions; to provide for conditions, limitations, and exclusions; to provide for authority of the state revenue commissioner with respect to the foregoing;

to provide an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 1147. By Representatives Meadows of the 5th, Freeman of the 140th, Smith of the 131st, Sheldon of the 105th, Benton of the 31st and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to provide for an exemption regarding the sale or use of funeral merchandise; to provide for definitions; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 1150. By Representatives Talton of the 145th, Murphy of the 23rd, O'Neal of the 146th and Brooks of the 63rd:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, so as to provide for a special license plate supporting pediatric cancer research; to provide for a portion of the revenue to go to the Joanna McAfee Childhood Cancer Foundation; to provide for issuance, renewal, fees, licensing agreements, applications, and transfers relative to such special license plates; to provide for related matters; to provide a contingent effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Motor Vehicles.

HB 1151. By Representatives Cole of the 125th, Roberts of the 154th, Smith of the 129th and Golick of the 34th:

A BILL to be entitled an Act to amend Article 2 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to deferred compensation plans, so as to provide that the Board of Trustees of the Employees' Retirement System of Georgia shall be the successor to the Employee Benefit Council for the purpose of administering certain deferred compensation plans; to provide for the transfer of certain accounts and funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 1152. By Representatives Buckner of the 76th, Reece of the 11th, Manning of the 32nd, Houston of the 170th and Marin of the 96th:

A BILL to be entitled an Act to amend Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to competencies and core curriculum in elementary and secondary education, so as to provide for legislative purpose; to provide that each local board of education shall prescribe a course of study in personal safety skills and abduction avoidance; to authorize such local boards to supplement and develop the exact approach of content areas of such minimum course of study; to provide that the State Board of Education shall prescribe a minimum course of study and shall establish standards for its administration; to provide for certain topics of instruction; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 1153. By Representative Franklin of the 43rd:

A BILL to be entitled an Act to amend Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to HOPE scholarships and grants, so as to provide that a full-time student at a public postsecondary institution can regain eligibility for a HOPE scholarship at the end of any quarter or semester; to provide that a full-time student at a private postsecondary institution can regain eligibility for a HOPE scholarship at the end of any quarter or semester; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

HB 1154. By Representative Sims of the 169th:

A BILL to be entitled an Act to amend an Act to create a board of elections and registration for Coffee County, approved May 6, 2005 (Ga. L. 2005, p. 3838), so as to provide for a limitation on the amount of absentee ballot applications that the board of elections and registration shall provide to persons; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1155. By Representative Sims of the 169th:

A BILL to be entitled an Act to amend an Act creating the Board of Education of Coffee County, approved March 10, 1970 (Ga. L. 1970, p. 2441), as amended, so as to provide for the selection of a chairperson and vice chairperson; to provide that such chairperson and vice chairperson shall serve terms of one year; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1156. By Representatives Graves of the 12th and Meadows of the 5th:

A BILL to be entitled an Act to provide for the composition of state house districts and, in particular, House Districts 5 and 12; to provide for the election of such Representatives; to provide when such Representatives so elected shall take office; to provide for the continuation of present house districts until a certain time; to provide for other related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Legislative & Congressional Reapportionment.

HB 1157. By Representatives Burkhalter of the 50th, Richardson of the 19th, Keen of the 179th and Fleming of the 117th:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation of income tax, so as to change certain provisions regarding income tax credits for employers providing approved retraining programs; to provide for definitions; to provide for procedures, conditions, and limitations; to provide for powers, duties, and authority of the state revenue commissioner; to provide an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HR 1157. By Representatives Powell of the 29th, Jamieson of the 28th and Jenkins of the 8th:

A RESOLUTION proposing an amendment to the Constitution so as to provide that the Secretary of State shall be elected on a nonpartisan basis; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Governmental Affairs.

HR 1168. By Representatives Buckner of the 76th, Reece of the 11th, Manning of the 32nd, Houston of the 170th and Marin of the 96th:

A RESOLUTION creating the Joint Study Committee on Personal Safety Education and Abduction Avoidance; and for other purposes.

Referred to the Committee on Public Safety.

HR 1169. By Representatives Bearden of the 68th, Brooks of the 63rd, Hembree of the 67th and Bruce of the 64th:

A RESOLUTION dedicating the "Colonel R. H. Burson Bridge"; and for other purposes.

Referred to the Committee on Transportation.

By unanimous consent, the rules were suspended in order that the following Bill of the House could be introduced, read the first time and referred to the Committee:

HB 1178. By Representatives Hill of the 180th, Channell of the 116th, Cooper of the 41st and Brown of the 69th:

A BILL to be entitled an Act to amend Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacists and pharmacies, so as to provide for the establishment of a program through which unused prescription drugs may be distributed for use by medically indigent persons; to provide for a short title; to provide for definitions; to provide for a pilot program; to provide for the establishment of rules and regulations; to provide for timelines; to provide for limited liability; to provide for construction; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

By unanimous consent, the following Bills and Resolutions of the House and Senate were read the second time:

HB 962	HB 1133
HB 1121	HB 1134
HB 1122	HB 1135
HB 1123	HB 1136
HB 1124	HB 1137
HB 1125	HB 1148
HB 1126	HB 1149



HB 1127  
HB 1128  
HB 1129  
HB 1130  
HB 1131  
HB 1132

HR 1128  
HR 1129  
HR 1154  
HR 1159  
SB 382

Representative Walker of the 107th District, Chairman of the Committee on Human Relations and Aging, submitted the following report:

Mr. Speaker:

Your Committee on Human Relations and Aging has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 728     Do Pass, by Substitute

Respectfully submitted,  
/s/ Walker of the 107th  
Chairman

Representative Franklin of the 43rd District, Chairman of the Committee on Legislative and Congressional Reapportionment, submitted the following report:

Mr. Speaker:

Your Committee on Legislative and Congressional Reapportionment has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 1137     Do Pass, by Substitute

Respectfully submitted,  
/s/ Franklin of the 43rd  
Chairman

Representative Lewis of the 15th District, Chairman of the Committee on Public Utilities and Telecommunications, submitted the following report:

Mr. Speaker:

Your Committee on Public Utilities and Telecommunications has had under

consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 209      Do Pass  
SB 210      Do Pass

Respectfully submitted,  
/s/ Lewis of the 15th  
Chairman

Representative Smith of the 168th District, Chairman of the Committee on State Planning and Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning and Community Affairs - Local Legislation has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 1034	Do Pass	HB 1039	Do Pass
HB 1035	Do Pass	HB 1102	Do Pass
HB 1036	Do Pass	HB 1117	Do Pass
HB 1037	Do Pass	HB 1118	Do Pass
HB 1038	Do Pass	HB 1119	Do Pass

Respectfully submitted,  
/s/ Smith of the 168th  
Chairman

The following report of the Committee on Rules was read and adopted:

#### HOUSE RULES CALENDAR TUESDAY, JANUARY 31, 2006

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 10th Legislative Day as enumerated below:

#### DEBATE CALENDAR

#### Open Rule

HB 494      Notaries public; additional qualifications; applications; amend provisions

**Modified Open Rule**

None

**Modified Structured Rule**

HB 950      Public employees and students; celebration of holidays; prohibit restrictions

**Structured Rule**

HR 1041      J.T. Williams Honorary Bridge; designate  
SB 386      Apportionment of House/Senate; provide for composition of state senatorial  
              districts 46,47,49; elections

Bills and Resolutions on this calendar may be called in any order the Speaker desires.

Respectfully submitted,  
/s/ Ehrhart of the 36th  
Chairman

By unanimous consent, the following Bills of the House were taken up for consideration and read the third time:

HB 1034. By Representatives Willard of the 49th, Wilkinson of the 52nd, Lindsey of the 54th and Geisinger of the 48th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Sandy Springs ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1035. By Representatives Willard of the 49th, Wilkinson of the 52nd, Lindsey of the 54th and Geisinger of the 48th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Sandy Springs ad valorem taxes for municipal purposes in the amount

of \$10,000.00 of the assessed value of the homestead for residents of that city who are disabled or are 65 years of age or over and who meet certain income limitations; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1036. By Representatives Willard of the 49th, Wilkinson of the 52nd, Lindsey of the 54th and Geisinger of the 48th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Sandy Springs ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the base year assessed value of such homestead for senior citizens whose household income does not exceed \$39,000.00; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1037. By Representatives Willard of the 49th, Wilkinson of the 52nd, Lindsey of the 54th and Geisinger of the 48th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Sandy Springs ad valorem taxes for municipal purposes in the amount of \$8,000.00 of the assessed value of the homestead for residents of that city who are disabled or are 65 years of age or over and who meet certain income limitations; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1038. By Representatives Willard of the 49th, Wilkinson of the 52nd, Lindsey of the 54th and Geisinger of the 48th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Sandy Springs ad valorem taxes for municipal purposes in the amount of \$15,000.00 of the assessed value of the homestead for residents of that city; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1039. By Representatives Willard of the 49th, Wilkinson of the 52nd, Lindsey of the 54th and Geisinger of the 48th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Sandy Springs ad valorem taxes for municipal purposes for the full value of the homestead for residents of that city who are disabled or are 70 years of age or over and who meet certain income limitations; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1102. By Representative Greene of the 149th:

A BILL to be entitled an Act to repeal an Act providing a new charter for the City of Coleman, approved April 19, 2000 (Ga. L. 2000, p. 3658), and abolish said city; to provide for the disposition of the assets, property, and legal rights and obligations of the city and the winding up of city affairs; to provide for submission under the federal Voting Rights Act of 1965, as amended; to provide effective dates; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1117. By Representative Ray of the 136th:

A BILL to be entitled an Act to amend an Act providing for a homestead exemption from Crawford County school district ad valorem taxes for

educational purposes in the amount of \$20,000.00 of the assessed value of the homestead for certain residents of that school district whose annual income does not exceed \$20,000.00 and who are 65 years of age or older or disabled, approved April 1, 1994 (Ga. L. 1994, p. 4515), so as to increase the amount of such exemption and the income cap applicable to such exemption; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1118. By Representative Ray of the 136th:

A BILL to be entitled an Act to provide that future elections for the office of probate judge of Crawford County shall be nonpartisan elections; to provide for submission of this Act under the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1119. By Representative Ray of the 136th:

A BILL to be entitled an Act to provide that future elections for the office of chief magistrate of Crawford County shall be nonpartisan elections; to provide for submission of this Act under the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

By unanimous consent, the following roll call vote was made applicable to the previously read Bills.

On the passage of the Bills, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	Y Scheid
Y Anderson	Y Davis	Y Holt	May	Y Scott, A
Y Ashe	Y Day	Y Horne	E McCall	Y Scott, M
Y Barnard	Y Dean	Y Houston	E McClinton	Setzler

Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Y Millar	Y Sheldon
Y Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	Jackson	Mitchell	Y Sims, F
Y Benton	Dukes	Y Jacobs	Morgan	Sinkfield
Y Black	Y Ehrhart	Y James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Smith, L
Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Smyre
Bryant	Y Fludd	Y Jordan	Y Oliver	Stanley-Turner
Y Buckner, D	Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	Franklin	Y Keown	Y Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Burns	Y Geisinger	Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Lakly	Y Porter	Y Thomas, B
Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Graves, T	Y Lane, R	Ralston	Y Walker
Casas	Y Greene	Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Watson
Y Channell	Y Harbin	Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Mangham	Y Rogers	Y Wix
Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bills, the ayes were 144, nays 0.

The Bills, having received the requisite constitutional majority, were passed.

Representatives Dukes of the 150th, Lewis of the 15th, Mangham of the 94th, and Stanley-Turner of the 53rd stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate has passed by the requisite constitutional majority the following bill of the Senate:

SB 120. By Senators Seabaugh of the 28th, Balfour of the 9th, Stoner of the 6th, Chance of the 16th, Hill of the 32nd and others:

A BILL to be entitled an Act to amend Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to telephone and telegraph service, so as to provide legislative findings and intent; to provide definitions; to provide that no state agency shall impose any requirement on broadband service, voice over Internet protocol, or wireless service; to provide that existing requirements are void; to provide for exceptions and construction; to provide an effective date; to repeal conflicting laws; and for other purposes.

By unanimous consent, the following Bill of the Senate was read the first time and referred to the Committee:

SB 120. By Senators Seabaugh of the 28th, Balfour of the 9th, Stoner of the 6th, Chance of the 16th, Hill of the 32nd and others:

A BILL to be entitled an Act to amend Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to telephone and telegraph service, so as to provide legislative findings and intent; to provide definitions; to provide that no state agency shall impose any requirement on broadband service, voice over Internet protocol, or wireless service; to provide that existing requirements are void; to provide for exceptions and construction; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Utilities & Telecommunications.

The following members were recognized during the period of Morning Orders and addressed the House:

Jones of the 44th, Abdul-Salaam of the 74th, Morgan of the 39th, Smith of the 113th, and Thomas of the 55th.

By unanimous consent, the following Bill of the House was withdrawn from the Committee on Defense & Veterans Affairs and referred to the Committee on Public Safety:

HB 1128. By Representatives Drenner of the 86th, Benfield of the 85th, Henson of the 87th, Loudermilk of the 14th, Chambers of the 81st and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to organization and administration of emergency management, so as to require the Georgia



Emergency Management Agency to establish a state-wide planning and mapping system for the public buildings in this state to the extent money is available for such a system; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

By unanimous consent, the following Bill of the House was withdrawn from the Committee on Judiciary Non-Civil and referred to the Committee on Public Safety:

HB 1000. By Representatives Day of the 163rd, Neal of the 1st, Horne of the 71st, Chambers of the 81st and Cox of the 102nd:

A BILL to be entitled an Act to amend Article 1 of Chapter 16 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to sheriffs, so as to provide for the responsibility and duties of the sheriff regarding courthouse and courtroom security; to provide notice and hearing; to provide for factors to consider in determining appropriate security measures; to provide for instruction to the jury; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 1170. By Representatives Lane of the 158th, Stephens of the 164th and England of the 108th:

A RESOLUTION commemorating the Keep Georgia Beautiful Program and its 66 local affiliates who serve 80 percent of the population of the State of Georgia; and for other purposes.

HR 1171. By Representatives Richardson of the 19th, Keen of the 179th, Burkhalter of the 50th, Roberts of the 154th and Smith of the 129th:

A RESOLUTION commending Lonice C. Barrett; and for other purposes.

The following Resolutions of the House were read and referred to the Committee on Rules:

HR 1172. By Representatives Morgan of the 39th, Wix of the 33rd and Teilhet of the 40th:

A RESOLUTION commending the Austell Police Department and inviting Police Chief Bob Starrett and Mayor Joe Jerkins to appear before the House of Representatives; and for other purposes.

HR 1173. By Representatives Royal of the 171st, Floyd of the 147th, Houston of the 170th, Rynders of the 152nd, Hanner of the 148th and others:

A RESOLUTION commending Georgia High School/High Tech and inviting its members to appear before the house of Representatives; and for other purposes.

Under the general order of business, established by the Committee on Rules, the following Bills and Resolution of the House were taken up for consideration and read the third time:

HR 1041. By Representatives Davis of the 109th, Lunsford of the 110th, Watson of the 91st, Mosby of the 90th, Yates of the 73rd and others:

A RESOLUTION honoring the accomplishments of J. T. Williams and dedicating the J. T. Williams Honorary Bridge; and for other purposes.

The following Committee substitute was read and adopted:

#### A RESOLUTION

To designate certain portions of the state highway system; and for other purposes.

#### PART I

WHEREAS, J. T. Williams passed the certified public accountant examination on his first attempt and won an award for scoring the highest grade in Florida; and

WHEREAS, he served on the staff of Price Waterhouse & Company in New York City and went on to head the largest accounting firm in Tallahassee, Florida; and

WHEREAS, he is the Chairman and Chief Executive Officer of Killearn, Inc., a developer of quality golf course communities, including the premier developments Eagle's Landing and Eagle's Brooke, in Henry County, Georgia; and

WHEREAS, J. T. Williams is responsible for bringing the prestigious LPGA professional golf tournament to the Eagle's Landing Country Club, and this annual event has generated tremendous revenue and positive public relations for Henry County; and

WHEREAS, he is the Chairman of the Projects and Planning Committee of the Georgia Regional Transportation Authority, a member of the Congestion Mitigation Task Force, the former Chairman of Finance of the North Georgia Metro Water Board, the former Chairman of the Georgia Board of Education, a former member of the Hospital Steering

Committee in Rabun County, the former Vice-Chairman of Henry County Health Systems, Inc.; and

WHEREAS, he is the General Chairman of the Chick-fil-A Charity Championship, the past Chairman and currently on the executive committee of the Atlanta Regional Business Coalition, the former Chairman of the Henry County Chamber of Commerce, the past President of the Tallahassee Rotary Club; and

WHEREAS, J. T. Williams is the former Trustee of the Radio and Television Commission and former Trustee of the Christian Life Commission of the Southern Baptist Convention, the former Trustee of the Baptist Joint Committee on Public Affairs, the former General Chairman of the North Florida Billy Graham Crusade, the past President of the Bill Glass Prison Ministries, and has taught Sunday school for over 30 years; and

WHEREAS, in 2004, he was awarded the Herman Talmadge Visionary Award by the Henry County Chamber of Commerce, honoring the person with vision who has contributed the most to positive growth and economic development in Henry County; and

WHEREAS, he has three sons (Joe, David, and Bert), and 12 grandchildren; and

WHEREAS, his presence and developments in Henry County and elsewhere have improved the quality of life and promoted economic prosperity and his life of service to the business, civic, and religious groups in his community is worthy of respect and admiration.

NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the bridge over I-75 on Eagle's Landing Parkway is dedicated as the J. T. Williams Honorary Bridge.

BE IT FURTHER RESOLVED that the Department of Transportation is authorized and directed to erect and maintain appropriate signs dedicating said bridge. Signs shall be erected on I-75 North, I-75 South, and on each end of the bridge.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized and directed to transmit appropriate copies of this resolution to J. T. Williams and the Department of Transportation.

## **PART II**

WHEREAS, the Champion family was one of the founding families of Harris County, Georgia; and

WHEREAS, this family has lived in the vicinity of the Champion Crossroads for generations; and

WHEREAS, members of the Champion family have been outstanding civic and business leaders and have been instrumental in promoting the growth and development of Harris County; and

WHEREAS, the Champion family has embraced and demonstrated the values espoused by the community and has shown a sincere devotion and commitment to Harris County and all of its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the portion of SR 18 at its intersection with Bethany Church Road and Hasty Road be dedicated as the Champion Crossroads; and the Department of Transportation is authorized and directed to place and maintain appropriate markers dedicating the Champion Crossroads.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized and directed to transmit an appropriate copy of this resolution to the Department of Transportation.

### **PART III**

WHEREAS, SPC Justin W. Johnson was a member of the United States Army's 1st Cavalry Division, 1st and 82nd Field Artillery serving in Iraq; and

WHEREAS, Justin was born on June 25, 1981, in Portsmouth, Virginia, and moved to Rome, Georgia, when he was four years old; and

WHEREAS, he attended West Central Elementary and Glenwood Elementary schools and graduated from Armuchee High in 2000; and

WHEREAS, he joined the United States Army in January, 2002, in reaction to the attacks on the United States on September 11, 2001; and

WHEREAS, SPC Justin W. Johnson arrived in Baghdad, Iraq, on March 30, 2004, and 12 days later on April 10, 2004, while serving as a gunner on an Humvee, was killed in action when his patrol was hit by a roadside bomb; and

WHEREAS, Justin has been awarded the Bronze Star, Purple Heart, National Defense Ribbon, Global War on Terrorism Service Medal, Global War on Terrorism Expeditionary Medal, and the Good Citizenship Award by the National Society of the Sons of the American Revolution; and

WHEREAS, this courageous soldier, who in the spirit of the American patriot, volunteered to confront the dangers, privations, and discomforts of wartime service and in the spirit of humanity strived to keep the peace in Iraq with fortitude and steadfast resolve, making us as a nation truly proud; and

WHEREAS, all Americans owe a debt of gratitude to the men and women of our armed forces who risk their lives in the defense of freedom and to secure the blessings of liberty for this nation and other peoples of the world.

NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the intersection of SR 53 with SR 140 in Floyd County be dedicated as the SPC Justin W. Johnson Memorial Interchange, and the Department of Transportation is authorized and directed to place and maintain appropriate markers dedicating the SPC Justin W. Johnson Memorial Interchange.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized and directed to transmit appropriate copies of this resolution to the family of SPC Justin W. Johnson and to the Department of Transportation.

#### **PART IV**

WHEREAS, Joseph Jones, Sr., was born in Atlanta, Georgia, on March 6, 1926, the third of the nine children of Ernest and Carrie Jones; and

WHEREAS, he was educated in the Atlanta Public School System; and

WHEREAS, he fought for his country with the United States Navy and was honorably discharged as Seaman First Class, V-6, on November 28, 1945; and

WHEREAS, in 1945, he was united in marriage to Darnella Shell and to their loving union were born seven children; and

WHEREAS, he was licensed as a minister of the Gospel while a member of Norwood Tabernacle Baptist Church; and

WHEREAS, he worked at Lockheed Martin Aeronautics Company for over 35 years and served as a Business Representative for Machinist Local #709; and

WHEREAS, Reverend Jones was active in his community as the PTA President of Clara Maxwell Pitts Elementary School, and was a member of Ashlar Smooth Masons #574; and

WHEREAS, it is abundantly fitting and proper that the contributions of Reverend Joseph Jones, Sr., in the City of Atlanta and in the State of Georgia be appropriately recognized.

NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the memory of Reverend Joseph Jones, Sr., is honored and that the bridge located at the point where SR 70 (Bolton Road) crosses I-285 in Fulton County is dedicated as the Joseph Jones, Sr., Bridge.

BE IT FURTHER RESOLVED that the Department of Transportation is authorized and directed to erect and maintain appropriate signs so dedicating the bridge.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized and directed to transmit an appropriate copy of this resolution to the family of the late Reverend Joseph Jones, Sr., and the Department of Transportation.

The report of the Committee, which was favorable to the adoption of the Resolution, by substitute, was agreed to.

On the adoption of the Resolution, by substitute, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	Y Scheid
Y Anderson	Y Davis	Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	E McCall	Y Scott, M
Y Barnard	Dean	Y Houston	E McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Y Millar	Y Sheldon
Y Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	Jackson	Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Y Ehrhart	Y James	Y Morris	Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
Y Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Y Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	Franklin	Y Keown	Y Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Lakly	Y Porter	Y Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	Williams, E

Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Y Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the adoption of the Resolution, by substitute, the ayes were 163, nays 0.

The Resolution, having received the requisite constitutional majority, was adopted, by substitute.

Representative Williams of the 89th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

HB 494. By Representatives Lindsey of the 54th and Willard of the 49th:

A BILL to be entitled an Act to amend Article 1 of Chapter 17 of Title 45 of the Official Code of Georgia Annotated, relating to notaries public, so as to provide for additional qualifications of a notary; to change certain provisions relating to the notary's application; to change certain provisions relating to a notary's obligation to advise the clerk of superior court of certain changes in personal information; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Amerson	Y Cummings	Y Holmes	Y Maxwell	Y Scheid
Y Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	E McCall	Y Scott, M
Y Barnard	Y Dean	Y Houston	E McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Shaw
Y Bearden	Dodson	Y Hudson	Y Millar	Y Sheldon
Y Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Sims, C
Benfield	Y Drenner	Jackson	Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Y Ehrhart	Y James	Y Morris	Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
Y Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Smyre
Y Bryant	Y Fludd	Y Jordan	Y Oliver	Y Stanley-Turner

Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	Y Franklin	Y Keown	Y Orrock	Y Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Golick	Y Lakly	Porter	Y Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, the ayes were 161, nays 0.

The Bill, having received the requisite constitutional majority, was passed.

HB 950. By Representatives Cox of the 102nd, Burkhalter of the 50th, Horne of the 71st, Burmeister of the 119th, Geisinger of the 48th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 1 of the Official Code of Georgia Annotated, relating to persons and their rights, so as to prohibit governmental entities in this state from restricting or prohibiting a public employee or public school student from verbal expressions relating to the celebration or observance of any public or legal holiday; to provide for legislative findings; to provide for construction; to provide for related matters; to repeal conflicting laws; and for other purposes.

Representative Henson of the 87th moved that HB 950 be placed upon the table.

On the motion, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	N Crawford	N Hill, C.A	N Martin	Sailor
N Amerson	N Cummings	Y Holmes	N Maxwell	N Scheid
Y Anderson	N Davis	N Holt	N May	N Scott, A
Y Ashe	N Day	N Horne	E McCall	N Scott, M
N Barnard	N Dean	N Houston	E McClinton	N Setzler
N Barnes	N Dickson	N Howard, E	N Meadows	Shaw
N Bearden	Dodson	N Hudson	N Millar	N Sheldon
Y Beasley-Teague	N Dollar	Y Hugley	N Mills	N Sims, C
Benfield	Y Drenner	Y Jackson	Mitchell	N Sims, F
N Benton	Dukes	N Jacobs	Y Morgan	Y Sinkfield
N Black	N Ehrhart	Y James	N Morris	N Smith, B



Y Bordeaux	N England	Y Jamieson	Y Mosby	N Smith, L
Y Borders	Y Epps	Y Jenkins	N Mosley	N Smith, P
N Bridges	N Everson	N Jennings	N Mumford	N Smith, R
Y Brooks	N Fleming	N Johnson	N Murphy, J	N Smith, T
N Brown	Y Floyd, H	N Jones, J	Y Murphy, Q	N Smith, V
Y Bruce	Y Floyd, J	Jones, S	N Neal	Smyre
N Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	N Forster	N Keen	N O'Neal	N Stephens
Buckner, G	N Franklin	N Keown	Y Orrock	Y Stephenson
N Burkhalter	Freeman	Y Kidd	N Parham	N Talton
N Burmeister	Gardner	N Knight	N Parrish	N Teilhet
N Burns	N Geisinger	N Knox	N Parsons	Thomas, A.M
N Butler	N Golick	N Lakly	Porter	Y Thomas, B
N Byrd	N Graves, D	N Lane, B	N Powell	N Tumlin
N Carter	N Graves, T	N Lane, R	N Ralston	N Walker
N Casas	N Greene	N Lewis	Y Randall	N Warren
N Chambers	Hanner	N Lindsey	N Ray	Y Watson
N Channell	Harbin	N Lord	N Reece, B	N Wilkinson
N Cheokas	N Hatfield	N Loudermilk	N Reece, S	Y Willard
N Coan	N Heard, J	Y Lucas	N Reese	N Williams, A
N Cole	Y Heard, K	N Lunsford	N Rice	Y Williams, E
N Coleman, B	Y Heckstall	N Maddox	N Roberts	N Williams, R
N Coleman, T	N Hembree	Y Mangham	N Rogers	N Wix
N Cooper	Y Henson	N Manning	N Royal	N Yates
N Cox	N Hill, C	N Marin	N Rynders	Richardson, Speaker

On the motion, the ayes were 39, nays 122.

The motion failed.

The following Committee substitute was read and withdrawn:

#### A BILL

To amend Chapter 2 of Title 1 of the Official Code of Georgia Annotated, relating to persons and their rights, so as to prohibit governmental entities in this state from unlawfully impairing, restricting, or prohibiting a public employee or public school student from verbal expressions relating to the celebration or observance of any public or legal holiday; to provide for legislative findings; to provide for construction; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

#### SECTION 1.

Chapter 2 of Title 1 of the Official Code of Georgia Annotated, relating to persons and their rights, is amended by adding a new Code Section 1-2-12 to read as follows:

"1-2-12.

(a) The General Assembly finds and determines that:

- (1) The First Amendment to the United States Constitution provides that 'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech...';
  - (2) The rights secured under the First Amendment to the United States Constitution have been interpreted by the courts of the United States to be applicable to the states through the due process clause of the Fourteenth Amendment;
  - (3) The United States Supreme Court has held that minors possess First Amendment rights and that students do not 'shed their constitutional rights to freedom of speech or expression at the schoolhouse gate';
  - (4) The United States Supreme Court has also held, however, that these rights are not immunized from restriction and that behavior that 'materially disrupts classwork or involves substantial disorder or invasion of the rights of others' may be curtailed by schools;
  - (5) Article I, Section I, Paragraphs III and IV of the state Constitution provide rights to freedom of religion; and
  - (6) Article I, Section I, Paragraph V of the state Constitution provides the right to freedom of speech.
- (b) No department or agency of the state and no county, municipality, local board of education, or other political subdivision of the state shall adopt or implement any policy which would unlawfully impair, restrict, or prohibit a public employee or public school student from engaging in their constitutional rights to freedom of speech or expression, including, but not limited to, verbal expressions relating to the celebration or observance of any public or legal holiday, as provided in Code Section 1-4-1.
- (c) Nothing in this Code section shall be construed to impair any ability that a local board of education may have to adopt and implement reasonable regulations to prevent behavior which materially disrupts classwork or involves substantial disorder or invasion of the rights of others."

## SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

The following substitute, offered by the Committee on Rules, was read and adopted:

### A BILL

To amend Chapter 2 of Title 1 of the Official Code of Georgia Annotated, relating to persons and their rights, so as to prohibit governmental entities in this state from unlawfully impairing, restricting, or prohibiting a public employee or public school student from verbal expressions relating to the celebration or observance of any public or legal holiday; to provide for legislative findings; to provide for construction; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 2 of Title 1 of the Official Code of Georgia Annotated, relating to persons and their rights, is amended by adding a new Code Section 1-2-12 to read as follows:

"1-2-12.

(a) The General Assembly finds and determines that:

(1) The First Amendment to the United States Constitution provides that 'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech...';

(2) The rights secured under the First Amendment to the United States Constitution have been interpreted by the courts of the United States to be applicable to the states through the due process clause of the Fourteenth Amendment;

(3) The United States Supreme Court has held that minors possess First Amendment rights and that students do not 'shed their constitutional rights to freedom of speech or expression at the schoolhouse gate';

(4) The United States Supreme Court has also held, however, that these rights are not immunized from restriction and that behavior that 'materially disrupts classwork or involves substantial disorder or invasion of the rights of others' may be curtailed by schools;

(5) Article I, Section I, Paragraphs III and IV of the state Constitution provide rights to freedom of religion; and

(6) Article I, Section I, Paragraph V of the state Constitution provides the right to freedom of speech.

(b) No department or agency of the state and no county, municipality, local board of education, or other political subdivision of the state shall adopt or implement any policy which would unlawfully impair, restrict, or prohibit a public employee or public school student from engaging in their constitutional rights to freedom of speech or expression, including, but not limited to, verbal expressions relating to the celebration or observance of any public or legal holiday, as provided in Code Section 1-4-1.

(c) Nothing in this Code section shall be construed to impair any ability that a department or agency of the state or a county, municipality, local board of education, or other political subdivision of the state has to adopt and implement reasonable regulations to prevent unlawful speech or expression, including, but not limited to, behavior which materially disrupts classwork or involves substantial disorder or invasion of the rights of others."

**SECTION 2.**

All laws and parts of laws in conflict with this Act are repealed.

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to, by substitute.

On the passage of the Bill, by substitute, the roll call was ordered and the vote was as follows:

N Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Sailor
Y Amerson	Y Cummings	N Holmes	Y Maxwell	Y Scheid
N Anderson	Y Davis	Y Holt	Y May	Y Scott, A
N Ashe	Y Day	Y Horne	E McCall	Y Scott, M
Y Barnard	N Dean	Y Houston	E McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Shaw
Y Bearden	Y Dodson	Y Hudson	N Millar	Y Sheldon
N Beasley-Teague	Y Dollar	N Hugley	Y Mills	Y Sims, C
Benfield	N Drenner	N Jackson	Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Morgan	N Sinkfield
Y Black	Y Ehrhart	N James	Y Morris	Y Smith, B
N Bordeaux	Y England	Y Jamieson	Mosby	Y Smith, L
Y Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Jones, S	Y Neal	Smyre
Y Bryant	N Fludd	N Jordan	N Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	Y Franklin	Y Keown	N Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Thomas, A.M
Y Butler	Y Golick	Y Lakly	Porter	N Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	N Randall	Y Warren
Y Chambers	Hanner	Y Lindsey	Y Ray	N Watson
Y Channell	Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	N Willard
Y Coan	Y Heard, J	N Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	N Williams, E
Y Coleman, B	N Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Mangham	Y Rogers	Y Wix
Y Cooper	N Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, by substitute, the ayes were 136, nays 25.

The Bill, having received the requisite constitutional majority, was passed, by substitute.

Representatives Harbin of the 118th and Mangham of the 94th stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

The Speaker announced the House in recess until 1:30 o'clock, this afternoon.

**AFTERNOON SESSION**

The Speaker called the House to order.

The following Resolutions of the House were read and adopted:

- HR 1176. By Representatives Day of the 163rd, Carter of the 159th, Stephens of the 164th, Jackson of the 161st, Bordeaux of the 162nd and others:

A RESOLUTION honoring the memory of Lieutenant Colonel Gregory J. Muller, of the 165th Airlift Wing of the Georgia Air National Guard, and expressing regret at his passing; and for other purposes.

- HR 1177. By Representatives Stephens of the 164th, Graves of the 137th, Carter of the 159th and Parrish of the 156th:

A RESOLUTION recognizing the Community Health Centers Day; and for other purposes.

- HR 1178. By Representative Williams of the 165th:

A RESOLUTION recognizing the contributions of black contractors to the State of Georgia and declaring February 2, 2006, as Black Contractors Day in Georgia; and for other purposes.

- HR 1179. By Representatives Loudermilk of the 14th, Ehrhart of the 36th, Lunsford of the 110th, Franklin of the 43rd, Mills of the 25th and others:

A RESOLUTION recognizing Home Education Day at the Capitol; and for other purposes.

- HR 1180. By Representatives Buckner of the 76th, Barnes of the 78th, Dodson of the 75th and Coleman of the 97th:

A RESOLUTION commending Ms. Cassie Harris for being named Clayton County's Teacher of the Year; and for other purposes.

- HR 1181. By Representative Bryant of the 160th:

A RESOLUTION commending Ms. Amber Foster and Ms. Detrice Oglesby; and for other purposes.

HR 1182. By Representatives Borders of the 175th, Black of the 174th and Shaw of the 176th:

A RESOLUTION commending Police Chief C. Frank Simons; and for other purposes.

HR 1183. By Representatives Benton of the 31st and McCall of the 30th:

A RESOLUTION honoring and celebrating the birthday and life of Annie Myrt Adams Crawford on Sunday, April 23, 2006; and for other purposes.

HR 1184. By Representatives Borders of the 175th, Black of the 174th and Shaw of the 176th:

A RESOLUTION recognizing January 30, 2006, as Capitol Tech Day; and for other purposes.

HR 1185. By Representatives Butler of the 18th, Brown of the 69th, Bearden of the 68th and Roberts of the 154th:

A RESOLUTION recognizing and commending the Carroll County Chamber of Commerce; and for other purposes.

HR 1186. By Representatives Buckner of the 76th, Manning of the 32nd, Ashe of the 56th, Gardner of the 57th, Walker of the 107th and others:

A RESOLUTION remembering and honoring the life of Ms. Martha Talbot Eaves; and for other purposes.

HR 1187. By Representatives Smith of the 70th, Reese of the 98th, Hanner of the 148th, Heard of the 104th, Smith of the 131st and others:

A RESOLUTION commending David M. Word; and for other purposes.

HR 1188. By Representatives Reece of the 27th, Rogers of the 26th and Mills of the 25th:

A RESOLUTION commending Rev. J. Fred Breed and Mrs. Sarah Kathryne Quirey Breed; and for other purposes.

HR 1189. By Representatives Smyre of the 132nd, Hugley of the 133rd, Buckner of the 130th, Smith of the 129th and Smith of the 131st:

A RESOLUTION commending Paul Edward Fox, Jr., on becoming an Eagle Scout; and for other purposes.

HR 1190. By Representatives Day of the 163rd, Neal of the 1st, Horne of the 71st, Cox of the 102nd and Hanner of the 148th:

A RESOLUTION commending police chiefs and other heads of law enforcement agencies in this state and observing a day of recognition; and for other purposes.

HR 1191. By Representatives Stephens of the 164th, Bordeaux of the 162nd, Carter of the 159th, Bryant of the 160th and Day of the 163rd:

A RESOLUTION commending Ms. Paula Deen; and for other purposes.

HR 1192. By Representatives Stephens of the 164th, Day of the 163rd, Carter of the 159th and Bryant of the 160th:

A RESOLUTION commending the 165th Airlift Wing of Savannah, Georgia; and for other purposes.

HR 1193. By Representatives Stephens of the 164th, Channell of the 116th and Parrish of the 156th:

A RESOLUTION recognizing Community Health Centers Day; and for other purposes.

HR 1194. By Representatives Rogers of the 26th, Heard of the 114th, Kidd of the 115th and Benton of the 31st:

A RESOLUTION remembering and honoring the life of John Albert Thrasher; and for other purposes.

On the adoption of the Resolutions, the roll call was ordered and the vote was as follows:

Abdul-Salaam	Crawford	Hill, C.A	Martin	Sailor
Y Amerson	Cummings	Holmes	Y Maxwell	E Scheid
Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Ashe	Y Day	Y Horne	E McCall	Y Scott, M
Barnard	Dean	Houston	E McClinton	Y Setzler
Y Barnes	Y Dickson	Howard, E	Y Meadows	Shaw
Y Bearden	Y Dodson	Y Hudson	Millar	Y Sheldon
Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Sims, C
Benfield	Y Drenner	Jackson	E Mitchell	Y Sims, F

Y Benton	Y Dukes	Y Jacobs	Morgan	Sinkfield
Y Black	Y Ehrhart	James	Y Morris	Smith, B
Bordeaux	Y England	Y Jamieson	Mosby	Y Smith, L
Borders	E Epps	Y Jenkins	Y Mosley	Smith, P
Bridges	Y Everson	Jennings	Y Mumford	Y Smith, R
Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Brown	Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Bruce	Y Floyd, J	Y Jones, S	Neal	Smyre
Y Bryant	Fludd	Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Stephens
Buckner, G	Franklin	Y Keown	Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Thomas, A.M
Butler	Golick	Y Lakly	Y Porter	Thomas, B
Y Byrd	Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Graves, T	Y Lane, R	Y Ralston	Y Walker
Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Ray	Watson
Y Channell	Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Lucas	Y Reese	Y Williams, A
Cole	Heard, K	Lunsford	Rice	Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Rogers	Wix
Cooper	Henson	Y Manning	Y Royal	Y Yates
Y Cox	Hill, C	Marin	Y Rynders	Richardson, Speaker

On the adoption of the Resolutions, the ayes were 109, nays 0.

The Resolutions were adopted.

Representatives Barnard of the 166th and Houston of the 170th stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate has adopted by the requisite constitutional majority the following resolution of the House:

HR 1171. By Representatives Richardson of the 19th, Keen of the 179th, Burkhalter of the 50th, Roberts of the 154th and Smith of the 129th:

A RESOLUTION commending Lonice C. Barrett; and for other purposes.



The following Resolutions of the House were read and referred to the Committee on Rules:

HR 1196. By Representatives Rogers of the 26th, Reece of the 27th, Mills of the 25th, Benton of the 31st and Williams of the 4th:

A RESOLUTION commending the Riverside Military Academy football team for winning the GISA Class AAA state football championship and inviting its coach and members to appear before the House of Representatives; and for other purposes.

HR 1197. By Representative Stephens of the 164th:

A RESOLUTION commending Jackie R. Griffin, DPA and inviting him to appear before the House of Representatives; and for other purposes.

Under the general order of business, established by the Committee on Rules, the following Bill of the Senate was taken up for consideration and read the third time:

SB 386. By Senator Hudgens of the 47th:

A BILL to be entitled an Act to amend Chapter 2 of Title 28 of the Official Code of Georgia Annotated, relating to apportionment of the House of Representatives and Senate and qualifications of members, so as to provide for the composition of state senatorial districts and, in particular, Senate Districts 46, 47, and 49; to provide for the election of such Senators; to provide when such Senators so elected shall take office; to provide for the continuation of present senatorial districts until a certain time; to provide for other related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

Abdul-Salaam	Crawford	Y Hill, C.A	Y Martin	N Sailor
Y Amerson	N Cummings	N Holmes	Y Maxwell	Y Scheid
N Anderson	Y Davis	Y Holt	Y May	Y Scott, A
N Ashe	Y Day	Y Horne	E McCall	Y Scott, M
Y Barnard	N Dean	Y Houston	E McClinton	Y Setzler
N Barnes	Y Dickson	N Howard, E	Y Meadows	N Shaw
Y Bearden	N Dodson	N Hudson	Y Millar	Y Sheldon
N Beasley-Teague	Y Dollar	N Hugley	Y Mills	Y Sims, C
N Benfield	N Drenner	N Jackson	E Mitchell	N Sims, F

Y Benton	N Dukes	N Jacobs	Morgan	N Sinkfield
Y Black	Y Ehrhart	N James	Y Morris	Y Smith, B
N Bordeaux	Y England	N Jamieson	N Mosby	Y Smith, L
N Borders	E Epps	N Jenkins	Y Mosley	N Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
N Brooks	Y Fleming	N Johnson	Y Murphy, J	Y Smith, T
Y Brown	N Floyd, H	Y Jones, J	N Murphy, Q	Y Smith, V
N Bruce	Y Floyd, J	N Jones, S	Y Neal	N Smyre
N Bryant	N Fludd	N Jordan	N Oliver	N Stanley-Turner
N Buckner, D	Y Forster	Y Keen	Y O'Neal	Y Stephens
N Buckner, G	Y Franklin	Y Keown	N Orrock	N Stephenson
Y Burkhalter	Y Freeman	N Kidd	N Parham	Y Talton
Y Burmeister	N Gardner	Y Knight	Y Parrish	N Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	N Thomas, A.M
Y Butler	Y Golick	Y Lakly	N Porter	N Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	N Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	N Greene	Y Lewis	N Randall	N Warren
Y Chambers	N Hanner	Lindsey	N Ray	N Watson
Channell	Y Harbin	N Lord	N Reece, B	Y Wilkinson
N Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	N Lucas	Y Reese	N Williams, A
Y Cole	N Heard, K	Y Lunsford	Y Rice	N Williams, E
Y Coleman, B	N Heckstall	Y Maddox	Y Roberts	Y Williams, R
N Coleman, T	Y Hembree	Mangham	Y Rogers	N Wix
Y Cooper	N Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	N Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, the ayes were 100, nays 69.

The Bill, having received the requisite constitutional majority, was passed.

Representative Mangham of the 94th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "nay" thereon.

Representative Lane of the 158th District, Chairman of the Committee on Game, Fish and Parks, submitted the following report:

Mr. Speaker:

Your Committee on Game, Fish and Parks has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 1085 Do Pass

Respectfully submitted,

/s/ Lane of the 158th  
Chairman

Representative O'Neal of the 146th District, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. Speaker:

Your Committee on Ways and Means has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 1107    Do Pass

Respectfully submitted,  
/s/ O'Neal of the 146th  
Chairman

The Speaker announced the House in recess until 5:00 o'clock, P.M., at which time the House will stand adjourned until 10:00 o'clock, tomorrow morning.